

AMENDMENTS

1996—Subsec. (b)(2). Pub. L. 104-127 substituted “fluid milk processors voting in the referendum;” for “all processors;”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 6405, 6414, 6415 of this title.

§ 6414. Suspension or termination of orders**(a) Termination of order**

Any order effective under this chapter shall be terminated December 31, 2002. The Secretary shall—

- (1) terminate the collection of assessments under the order upon such date; and
- (2) terminate activities under the order in an orderly manner as soon as practicable after such date.

(b) Suspension or termination by Secretary

The Secretary shall, whenever the Secretary finds that the order or any provision of the order obstructs or does not tend to effectuate the declared policy of this chapter, terminate or suspend the operation of the order or provision.

(c) Other referenda**(1) In general**

The Secretary may conduct at any time a referendum of persons who, during a representative period as determined by the Secretary, have been fluid milk processors on whether to suspend or terminate the order, and shall hold such a referendum on request of the Board or any group of such processors that among them marketed during a representative period, as determined by the Secretary, 10 percent or more of the volume of fluid milk products marketed by fluid milk processors voting in the preceding referendum.

(2) Suspension or termination

If the Secretary determines that the suspension or termination is favored—

- (A) by at least 50 percent of fluid milk processors voting in the referendum; and
- (B) by fluid milk processors voting in the referendum that marketed during a representative period, as determined by the Secretary, 40 percent or more of the volume of fluid milk products marketed by fluid milk processors voting in the referendum;

the Secretary shall, within 6 months after making the determination, suspend or terminate, as appropriate, collection of assessments under the order, and suspend or terminate, as appropriate, activities under the order in an orderly manner as soon as practicable.

(3) Costs; manner

Subsections (c) and (d) of section 6413 of this title shall apply to a referendum conducted under this subsection.

(Pub. L. 101-624, title XIX, §1999O, Nov. 28, 1990, 104 Stat. 3925; (As amended Pub. L. 104-127, title I, §146(d)(2), (e), Apr. 4, 1996, 110 Stat. 919.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-127, §146(e), substituted “2002” for “1996” in introductory provisions.

Subsec. (c)(1). Pub. L. 104-127, §146(d)(2)(A), substituted “fluid milk processors voting in the preceding referendum” for “all processors”.

Subsec. (c)(2)(B). Pub. L. 104-127, §146(d)(2)(B), substituted “fluid milk processors voting in the referendum;” for “all processors;”.

§ 6415. Amendments**(a) Amendments to order**

Subject to subsection (b) of this section, the Secretary may issue such amendments to an order as may be necessary to carry out this chapter.

(b) Amendment to assessment rates**(1) In general**

The Secretary may conduct at any time a referendum of persons who, during a representative period as determined by the Secretary, have been fluid milk processors on adjusting the assessment rate under the order issued under this chapter then in effect, and shall hold such a referendum on request of the Board or any group of such processors that among them marketed during a representative period, as determined by the Secretary, 10 percent or more of the volume of fluid milk products marketed by all processors.

(2) Adjustment to assessment rate

The Secretary shall adjust the assessment rate under the order whenever the Secretary determines that the adjustment is favored—

- (A) by at least 50 percent of fluid milk processors voting in the referendum; and
- (B) by fluid milk processors that marketed during a representative period, as determined by the Secretary, 60 percent or more of the volume of fluid milk products marketed by all processors;

In no event shall the rate of assessment prescribed by the order exceed 20 cents per hundredweight.

(3) Effective date

The adjusted assessment rate shall be effective on a date, as determined by the Secretary, after the results of the referendum are known, but not later than 30 days after the referendum.

(4) Costs; manner

Subsections (c) and (d) of section 6413 of this title shall apply to a referendum conducted under this subsection.

(Pub. L. 101-624, title XIX, §1999P, Nov. 28, 1990, 104 Stat. 3926.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6409 of this title.

§ 6416. Independent evaluation of programs**(a) Review and evaluation**

The Comptroller General of the United States shall review and evaluate the order to—

- (1) determine the effectiveness of the promotion program conducted under this chapter on fluid milk sales;
- (2) determine if the assessments for the program have been passed back to milk producers by fluid milk processors; and

(3) make recommendations for future funding and assessment levels for the program.

(b) Report to Congress

The Comptroller General shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the valuations made under this section no later than January 1, 1995.

(Pub. L. 101-624, title XIX, §1999Q, Nov. 28, 1990, 104 Stat. 3926.)

§ 6417. Authorization of appropriations

(a) In general

There are authorized to be appropriated for each fiscal year such funds as are necessary to carry out this chapter.

(b) Administrative expenses

The funds so appropriated shall not be available for payment of the expenses or expenditures of the Board in administering any provision of any order issued under this chapter.

(Pub. L. 101-624, title XIX, §1999R, Nov. 28, 1990, 104 Stat. 3926.)

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 42 section 1769.

§ 6501. Purposes

It is the purpose of this chapter—

(1) to establish national standards governing the marketing of certain agricultural products as organically produced products;

(2) to assure consumers that organically produced products meet a consistent standard; and

(3) to facilitate interstate commerce in fresh and processed food that is organically produced.